

Marion to purchase or build a courthouse, and to provide the means to pay for the same, and to dispose of the one now used by said county." House bill No. 645, "An act to encourage and protect the Padra Island Manufacturing Salt Company."

On motion of Senator Wood, the Senate adjourned until 9 o'clock A. M., to-morrow.

## FIFTIETH DAY.

SENATE CHAMBER,  
AUSTIN, March 11, 1875.

Senate met pursuant to adjournment, Senator Westfall presiding. Roll called; quorum present. Prayer by the chaplain.

The reading of the journal of yesterday was dispensed with.

Senator Ireland, Chairman Judiciary Committee, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Judiciary, to whom was referred Senate bill No. 742, "An act to refund certain moneys to James Hogue," instruct me to report the bill back, with the recommendation that it do pass.

IRELAND, Chairman.

Senator Wood, for Committee on Education, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Education, to whom was referred Senate bill No. 808, "An act to incorporate the Texas Female Institute, and donate one hundred sections of land in aid of the same," have carefully considered the same, and would most respectfully recommend that said bill do not pass, for the following reasons:

1st. The Legislature has no constitutional power to make such a donation.

2d. That it would be inexpedient to donate to this institution, unless the State was able to endow all similar institutions.

WOOD, for Committee.

Senator Ireland introduced a bill entitled "An act to authorize the judges of the district courts to cause the

grand jury of the term to be again empanelled for the transaction of business, after having been once discharged." Read first time.

On motion of Senator Wood, the rules were suspended, bill read second time and ordered engrossed.

On motion of Senator Wood, the rules were suspended, bill read third time and passed.

Senator Davenport introduced a joint resolution, "Memorializing the Congress of the United States." Read first time and ordered to lie on the table.

Senator Russell offered the following resolution :

WHEREAS, John S. Ford, at the solicitation of His Excellency, the Governor, did take the evidence of twenty-two citizens and residents of Cameron, Nueces and Hidalgo counties, and which testimony was laid before the 'joint committee on Mexican troubles.' by the Governor, thus saving the very great expense of those witnesses appearing in person : therefore, be it

*Resolved*, That the sum of three hundred dollars be paid John S. Ford. for such services out of the contingent fund allowed said committee for sending for persons and papers, to be paid on approval of Chairman of Committee on Contingent Expenses. Adopted.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 806, "An act to authorize the Judge of the Fourteenth Judicial District of the State of Texas to open his court in the county of Tarrant, on any day during the March term A. D. 1875," and find the same correctly engrossed.

SHEPARD, for Committee.

On motion of Senator Wood, the rules were suspended, and Senate bill No. 758, "An act to retire the floating debt of the State, and provide for funding the same," was taken up, pending an amendment by the committee.

The amendment of the committee was lost.

(President in the chair.)

A message from the House announced the passage of the following House bills, to-wit :

House bill No. 815, "An act to provide for translating

and printing in the Spanish and German languages the constitution of the State of Texas, and certain laws thereof."

House bill No. 761, "An act defining the jurisdiction of mayors of towns and cities, incorporated under the general and special laws of the State."

And also, the following Senate bill No. 796, "An act to amend 'an act to organize and define the powers of the Criminal District Court in and for the counties of Galveston and Harris, and prescribe the duties thereof,' approved July 23d, 1870.

Senator Friend, for Committee on Engrossed Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 764, "An act to incorporate the Georgetown and Rockdale Railroad Company." Senate bill No. 792, "An act to create and organize the county of Somerville," and find both of same correctly engrossed. , FRIEND, for Committee.

A message was received from the House, announcing the passage of Senate bill No. 659, "An act to improve the navigation of Oyster Creek, Bernard and Caney."

Senator Wood offered the following amendment to the bill under consideration :

Amend by inserting after the word "dollars," in fifth line of second section, the following words, "and one thousand dollars." Adopted.

Senator Joseph offered the following amendment :

Amend by inserting after the word "act," in line twelve, section one, the following words: "*provided*, that this act shall not apply to outstanding warrants that have been registered in accordance with the provisions of a joint resolution 'to require the State Treasurer not to pay certain warrants, except out of the funds especially provided for the payment of such warrants,'" approved March 7, 1874. Adopted.

Senator Wood offered the following amendment: Strike out the words "five hundred," in line fifteen, section 7, and insert the words "one thousand." Adopted.

Senator Flanagan offered the following amendment: Strike out all of section 7, down to and including the word "act," in fifteenth line. Lost by the following vote :

YEAS—Senators Allison, Baker, Bradshaw, Burton,

Flanagan, Hobby, Joseph, Ledbetter, Morris, Moore, Randle and Stirman—12.

NAYS—Senators Ball, Bradley, Camp, Dillard, Dwyer, Ellis, Friend, Ireland, Parker, Russell, Shepard, Westfall and Wood—13.

On motion of Senator Ellis, the Senate reconsidered the vote adopting the amendment offered by Senator Joseph.

The amendment offered by Senator Joseph was then lost, by the following vote :

YEAS—Senators Allison, Bradshaw, Burton, Dwyer, Flanagan, Hobby, Joseph, Ledbetter, Morris, Moore, Randle and Stirman—12.

NAYS—Senators Ball, Baker, Bradley, Camp, Dillard, Davenport, Ellis, Friend, Ireland, Parker, Russell, Shepard, Westfall and Wood—14.

Senator Moore offered the following amendment :

Amend by adding after the word "act," in 13th line, section 7, the following words: "*Provided*, that this act shall not be construed to apply to the four hundred thousand dollars appropriated by an act approved April 27, 1874; and that said sum shall be applied to the payment of school warrants, as provided for in said act, giving preference according to number and date of such warrants."

Senator Flanagan moved a call of the Senate. Call sustained. Absent, Senator Swift.

On motion of Senator Bradshaw, the rules were suspended, and House bill No. 390, "An act regulating the incorporation of cities of one thousand inhabitants, or over, and to provide for the substitution and repeal of all acts heretofore passed incorporating said cities, which may be in force by virtue of any existing charter," was taken up and read.

On motion of Senator Ireland, the further reading of the bill was dispensed with, and bill passed to third reading.

On motion of Senator Bradshaw, the rules were suspended, bill read third time and passed by the following vote :

YEAS—Senators Allison, Ball, Baker, Bradshaw, Camp, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Parker, Randle, Stirman, Westfall and Wood—17.

NAYS—Senators Burton, Dillard, Davenport, Dwyer, Ellis, Moore, Russell and Shepard—8.

Senator Wood moved a call of the Senate. Call sustained. Absent, Senator Bradley.

Senator Shepard, by leave, introduced a bill, entitled "An act to amend 'an act prescribing the times of holding the district courts in the Twenty-ninth Judicial District,' and repealing all other acts in conflict with this act," approved April 29, 1874. Read first time and ordered to lie on the table.

Senator Bradley having returned, the President of the Senate announced the Senate full, and the call suspended.

The amendment offered by Senator Moore was then lost by the following vote :

YEAS—Senators Allison, Bradshaw, Burton, Erath, Flanagan, Hobby, Joseph, Ledbetter, Morris, Moore, Randle, Stirman and Swift—12

NAYS—Senators Ball, Baker, Bradley, Camp, Dillard, Davenport, Dwyer, Ellis, Friend, Ireland, Parker, Russell, Shepard, Westfall and Wood—15.

The bill, as amended, was then ordered engrossed, by the following vote :

YEAS—Senators Ball, Baker, Bradley, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Friend, Ireland, Parker, Russell, Shepard, Swift, Westfall and Wood—17.

NAYS—Senators Allison, Bradshaw, Burton, Flanagan, Hobby, Joseph, Ledbetter, Morris, Moore, Randle and Stirman—11.

Senator Moore moved a suspension of the rules to put the bill on its third reading. Lost by the following vote :

YEAS—Senators Ball, Baker, Bradley, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Friend, Ireland, Parker, Russell, Shepard, Swift, Westfall and Wood—17.

NAYS—Senators Allison, Bradshaw, Burton, Flanagan, Hobby, Joseph, Ledbetter, Morris, Moore, Randle and Stirman—11.

On motion of Senator Russell, the rules were suspended, and House bill No. 714, "An act to incorporate the Corpus Christi, San Diego and Rio Grande Narrow Gauge Railroad Company," was taken up, read second time, and passed to third reading.

On motion of Senator Russell, the rules were suspended, bill read third time and passed, by the following vote :

YEAS—Senators Ball, Baker, Bradley, Burton, Camp, Dillard, Davenport, Dwyer, Ellis, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter, Morris, Moore, Parker,

Randle, Russell, Shepard, Stirman, Westfall and Wood—25.

NAYS—Senators Allison and Bradshaw—2.

On motion of Senator Shepard, the rules were suspended, and the bill introduced by him this morning, entitled "An act to amend 'an act prescribing the times of holding the district courts in the Twenty-ninth Judicial District, and repealing all other acts in conflict with this act,'" approved April 29, 1874, was taken up, read second time and ordered engrossed.

On motion of Senator Shepard, the rules were suspended, bill read third time and passed.

On motion of Senator Westfall, the rules were suspended, and House bill No. 725, "An act to amend section one of an act entitled 'an act to authorize the city of Austin to become a stockholder in any company or corporation for the purpose of supplying said city with water and gas,'" was taken up, read second time and passed to third reading.

On motion of Senator Westfall, the rules were suspended, bill read third time and passed.

On motion of Senator Morris, the rules were suspended, and Senate bill No. 782, "An act to provide for the safe keeping of the furniture belonging to the capitol, etc," was taken up, and read second time, pending an amendment by the committee.

The amendment of the committee was adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Morris, the rules were suspended, bill read third time and passed.

On motion of Senator Stirman, the rules were suspended, and Senate bill No. 772, "An act to amend the first section of 'an act to prescribe the time of the annual meetings of the Legislature,'" approved July 22, 1870, was taken up and read second time, and amendments by the committee adopted, and ordered engrossed.

On motion of Senator Stirman, the rules were further suspended, bill read third time and passed by the following vote:

YEAS—Senators Allison, Ball, Baker, Burton, Camp, Ellis, Flanagan, Hobby, Joseph, Ledbetter, Morris, Moore, Parker, Randle, Stirman and Westfall—16.

NAYS—Senators Bradshaw, Bradley, Dillard, Davenport, Dwyer, Erath, Friend, Ireland, Russell, Shepard, Switt and Wood—12.

On motion of Senator Hobby, the rules were suspended, and House bill No. 797, "An act supplemental to and amendatory of an act, entitled 'an act to incorporate the St. Louis and Mexican Gulf Railroad Company, and to grant lands to aid in the construction of the same,'" was taken up and read first time.

On motion of Senator Hobby, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Russell, the rules were suspended, bill read time and passed.

Senator Dwyer, for Committee on Enrolled Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined and find correctly enrolled, Senate bill No. 676, "An act for the relief of the scholastic census takers for the years 1871, 1872 and 1873," and have this 11th day of March 1875, at 11:30 o'clock A. M., presented the same to the Governor for his approval.

J. E. DWYER, for Committee.

On motion of Senator Wood, the rules were suspended, and House bill No. 844, "An act to authorize the Judge of the Twenty-eighth Judicial District to hold a special term of court in the counties of Brazos and Burleson," was taken up and read first time.

On motion of Senator Wood, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Wood, the rules were suspended, bill read third time and passed.

The President appointed Senators Wood, Ireland, Camp, Ellis, Bradley, Swift and Davenport as the conference committee on the part of the Senate on the disagreement between the two Houses, on Senate joint resolution No. 452, "Providing a convention to frame a constitution for the State of Texas."

A message was received from the House, announcing that the House was now ready to receive the Senate in joint session, for the purpose of electing six directors for the Agricultural and Mechanical College of Texas.

Senate went to the House

IN JOINT SESSION.

The Secretary of the Senate called the roll, and the President announced a quorum present.

The Speaker of the House announced the object of the joint session to be the election of six directors for the "Agricultural and Mechanical College of Texas," one from each Congressional District.

On motion of Senator Ireland, the nominations were all made before any votes were taken.

Senator Stirman nominated Hon. E. B. Pickett, of Liberty county, of the First District.

Senator Parker nominated Hon. Charles DeMorse, of Red River county, from the Second District.

Representative Brown of Harrison, nominated M. D. K. Taylor, of Marion county, from the Second District.

Representative Foote nominated Isaac Graves, of Collin county, from the Third District.

Representative Bruce nominated B. J. Chambers, of Ellis county, from the Third District.

Representative Middleton nominated Hon. J. W. Ferris, of Ellis county, from the Third District.

Representative Sadler nominated Hon. B. H. Davis, of Johnson county, from the Fourth District.

Senator Shepard nominated Hon. Joel Robinson, of Fayette county, from the Fifth District.

Senator Westfall nominated Maj. C. S. West, of Travis county, from the Fifth District.

Representative McLeary nominated Hon. F. S. Stockdale, of Calhoun county, from the Sixth District.

The Speaker appointed as tellers, Representatives DeMorse, Goodwin and Henderson of Smith.

The President appointed Senators Camp and Flanagan as tellers on the part of the Senate.

The balloting then proceeded, and the following was the result :

E. B. Pickett, 93 ; Chas. DeMorse, 77 ; M. D. K. Taylor, 21 ; Isaac Graves, 41 ; B. J. Chambers, 28 ; J. W. Ferris, 27 ; B. J. Davis, 91 ; Joel Robinson, 36 ; Maj. C. S. West, 53 ; F. S. Stockdale, 90.

The Speaker of the House announced that the following names had been elected :

E. B. Pickett, First District ; Charles DeMorse, Second District ; B. J. Davis, Fourth District ; Major C. S. West, Fifth District ; and that in the Third District there had been no election.



The joint session then proceeded to a second ballot for the purpose of electing one in the Third District.

The second ballot resulted as follows :

Isaac Graves, 47 ; B. J. Chambers, 42 ; scattering, 2.

The Speaker decided that as Isaac Graves had received a majority of all the votes cast, that he had been duly elected as director from the Third District.

On motion of Senator Westfall, the Senators retired to the Senate Chamber.

IN SENATE.

On motion of Senator Flanagan, the Senate adjourned until 3 P. M.

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EVENING SESSION—3 P. M.

Senate met pursuant to adjournment. Roll called ; quorum present.

A message was received from the House announcing the passage of the following bills :

Senate bill No. 807, "An act to authorize the board of trustees of school district No. 1, of Gonzales county, to levy a tax for the purpose of paying for a school house."

Senate bill No. 552, "An act to authorize the Board on Public Printing to employ a practical printer to aid them in the proper discharge of their duties."

House bill No. 861, "An act to grant land to any company who will macadamize certain road in Hays county."

House bill No. 633, "An act to incorporate the Sabine Pass and Marshall Air Line Rail Road Company, and to aid in the construction of the same."

Senator Wood submitted the following report :

*Hon. R. B. Hubbard, President of the Senate, and G. M. Bryan, Speaker of the House of Representatives :*

Your Committee of Conference, of the Senate and House of Representatives, as to the matter of disagreement as to House amendment to Senate joint resolutions, calling a constitutional convention, have carefully considered the same, and recommend that the Senate do concur in the following House amendment, to-wit: Section four, third line, strike out the words "shall be a general election."

W. D. WOOD, Chairman Senate Committee.

W. B. SAYERS, Chairman House Committee.

Adopted.

Senator Dwyer presented the following communication from General G. W. C. Lee:

AUSTIN, TEXAS, March 8th, 1875.

*Messrs. Joseph, Bradley, McLeary and Brown of Gregg, Committee:*

GENTLEMEN:—Having been absent from the city since you did me the honor to present the resolution, inviting me to a seat upon the floor of the Senate and House of Representatives, I have not before to-day had the opportunity of making an acknowledgment in writing. I now, therefore, take this means of tendering my sincere thanks for the high honor which you have been pleased to confer upon me, and remain with great respect, and an ever grateful appreciation of your kindness, your obedient servant.

G. W. C. LEE.

Senator Friend, for Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

You Committee on Engrossed Bills have carefully examined and compared Senate bill No. 660, "An act making an appropriation to pay Captain L. H. McNelly's company for seven months service, and the Galveston companies, and the expenditures attending the same while in the service of the State, to aid the civil authorities." Senate bill No. 665, "An act creating a lien in favor of hotel and boarding house keepers, and proprietors of livery and other public stables, and providing for the enforcement of the same." Senate bill No. 721, "An act to provide for the distribution of taxes collected for the building and repairing of school houses in certain school districts in newly created counties." Senate bill No. 772, "An act to amend the first section of 'an act to prescribe the time of the annual meetings of the Legislature,'" approved July 22, 1870, and find all of same correctly engrossed.

FRIEND, for Committee.

Senator Randle, Chairman Committee on Engrossed Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Engrossed Bills have carefully examined and compared Senate bill No. 562, "An act

exempting the old Alamo Church from taxation." Senate bill No. 705, "An act for the relief of Rusk county, and making an appropriation therefor," and find both of same correctly engrossed.

RANDLE, Chairman.

Senator Hobby, Chairman Committee on Enrolled Bills, submitted the following report:

*Hon. R. B. Hubbard, President of the Senate:*

Your Committee on Enrolled Bills ask leave to report that they have carefully examined, and find correctly enrolled the following Senate bills, viz: Senate bill No. 72, "An act to amend an act entitled 'an act to authorize the cancellation of patents in certain cases,' " approved February 3, 1854. Senate bill No. 565, "An act for the relief of W. H. Coleman, late sheriff of Lavaca county." Senate bill No. 703, "An act to incorporate the San Antonio and Fredericksburg Narrow Gauge Railway Company." Senate bill No. 746, "An act to amend the second section of an act amendatory of and supplemental to 'an act to incorporate the Texas Timber and Prairie Railroad Company,' " approved August 15, A. D. 1870; passed May 24, A. D., 1873 and became a law without the approval of the Governor. Senate bill No. 787, "An act to authorize the county of Gonzales to build a bridge across Peach creek," and have this tenth day of March, 1875, at 1 o'clock P. M., presented the same to the Governor for his approval.

HOBBY, Chairman.

The following communication was received from His Excellency the Governor:

EXECUTIVE OFFICE, STATE OF TEXAS, )  
AUSTIN, March 10, 1875. )

*Hon. R. B. Hubbard, President of the Senate:*

I have the honor to hand you herewith the captions of all bills and joint resolutions passed by the Legislature and approved by me since March 4th, 1875.

Very respectfully,

RICHARD COKE.

Senate bill No. 480, "An act to amend 'an act to incorporate the Lake City Railway Company and to aid the construction of the said railway,' " approved May 2d, 1874; approved March 6th, 1875.

Senate bill No. 593, "An act to incorporate the Kaufman Tap Railroad Company;" approved March 6th, 1875.

House bill No. 698, "An act to provide for the trial and removal from office of mayors and aldermen of incorporated towns and cities;" approved March 6th, 1875.

Senate bill No. 522, "An act to regulate the collection of taxes assessed in the year 1874, in that portion of the territory of Rusk county which was attached to the county of Gregg, by an act of the Legislature;" approved April 30th, 1874; approved March 6th, 1875.

Senate bill No. 506, "An act supplemental to and amendatory of the several acts authorizing the sale and disposition of the University lands in the State of Texas;" approved March 6th, 1875.

Senate bill No. 635, "An act amendatory of and supplementary to 'an act to organize and incorporate the East Line and Red River Railroad Company,'" approved March 22d, 1871, and of the acts passed thereafter in relation to said company; approved March 6th, 1875.

House bill No. 594, "An act to amend the fourth, eleventh and twelfth sections of an act entitled 'an act to establish, organize and define the powers of the Criminal District Court in and for the cities of Dallas, McKinney and Sherman;'" approved June 4th, 1873; approved April 17th, 1874; approved March 6th, 1875.

House bill No. 711, "An act regulating the affairs of the Deaf and Dumb and Blind Asylum;" approved March 6th, 1875.

House bill No. 810, "An act concerning litigation with the railroad company which is now known as the 'New Orleans, Mobile and Texas Railroad Company,' which was chartered originally as the 'Sabine and Galveston Bay Railroad and Lumber Company,' and afterwards changed to the 'Texas and New Orleans Railroad Company,' and afterwards to the 'New Orleans, Mobile and Texas Railroad Company,' for the purpose of forfeiting the charter and franchise of said company for the non-use and mis-usage of its charter and franchise, and to collect from said company the amount due the State for loans to aid in the construction of the same;" approved March 8th, 1875.

House bill No. 259, "An act to appoint trustees to take charge of property bequeathed to the State of Texas, for certain purposes, by Oscar L. Holmes, and to carry into effect said bequest;" approved March 8th, 1875.

Senate bill No. 697, "An act regulating and providing

for the collection of fees by the clerk of the Supreme Court;" approved March 9th, 1875.

House bill No. 630, "An act regulating the government of the Agricultural and Mechanical College of Texas;" approved March 9th, 1875.

House bill No. 627, "An act to cause the county courts of the several counties in this State, to furnish the county surveyors of each county with office books;" approved March 9th, 1875.

House bill No. 601, "An act to provide for the re-compilation of an abstract of the located, titled and patented lands in Texas;" approved March 9th, 1875.

House bill No. 673, "An act to prohibit the sale of intoxicating or spirituous liquors within two miles of certain places therein named;" approved March 9th, 1875.

House bill No. 833, "An act supplementary to an act entitled 'an act to incorporate the Red River and Rio Grande Railway Company, and to authorize the building of branches thereto, and to grant lands to aid in the construction thereof;" approved March 9th, 1875.

Senate bill No. 616, "An act to incorporate the Red River and Rio Grande Railway Company, and to authorize the building of branches thereto, and to grant lands to aid in the construction thereof;" approved March 9th, 1875.

Senate bill No. 453, "An act to amend section eight of an act entitled 'an act to authorize the county court of Lamar county to contract for the building of a courthouse and jail in said county, and to issue and sell the bonds of the county for that purpose,'" passed April 28, 1873; approved March 9, 1875.

Senate bill No. 780, "An act making an appropriation for the *per diem* pay of members and the *per diem* pay of the officers and employees of the second session of the Fourteenth Legislature of the State of Texas," approved March 9, 1875.

Senate joint resolution No. 447, "Joint resolution condemning the interference with and destruction of the State government of Louisiana, by the present Federal administration," approved March 9, 1875.

Senate bill No. 537, "An act to compensate and reward deputy sheriff J. T. Morris, of Collin county, for capturing the stage robber, J. C. Reid," approved March 9, 1875.

Senate bill No. 733, "An act supplemental to and amendatory of 'an act to establish a Criminal Court in the cities

of Waco and Marlin, and defining the powers thereof,'” passed at the first session of the Fourteenth Legislature, and “an act amendatory of said above recited act,” passed at the same session, approved March 9, 1875.

Senate bill No. 573, “An act to legalize and make valid certain process issued from the District Court of Hunt county,” approved March 9, 1875.

Senate bill No. 804, “An act for the relief of the International Railroad Company, now consolidated with the Houston and Great Northern Railroad Company, under the name of the International and Great Northern Railroad Company,” approved March 10, 1875.

Senate bill No. 72, “An act to amend an act entitled ‘an act to authorize the cancellation of patents in certain cases,’” approved February 3, 1854; approved March 10, 1875.

Senate bill No. 738, “An act granting further time to the Galveston, Harrisburg and San Antonio Railway Company, and allowing it to change the route of said road,” approved March 10, 1875.

Senate bill No. 462, “An act entitled ‘an act to authorize the State Treasurer to appoint an additional clerk and to fix his compensation,’” approved March 10, 1875.

Senate bill No. 566, “An act to encourage the construction of canals and ditches for navigation and irrigation;” approved March 10th, 1875.

Senate bill No. 504, “An act supplemental to and amendatory of ‘an act to incorporate the Austin and Pacific Short Line Railroad Company;’” approved March 10th, 1875.

House bill No. 770, “An act to amend section four of an act entitled ‘An act incorporate the Austin and Pacific Short Line Railroad Company,’” passed May 30th, 1873; approved March 10th, 1875.

Senate bill No. 740, “An act providing for expenses of extradition of criminals, under ‘Treaty between the United States of America and the United Mexican States,’ concluded at Mexico, December 11th, 1861; ratified May 20th, 1862;” approved March 10th, 1875.

Senate bill No. 565, “An act for the relief of W. H. Coleman, late sheriff of Lavaca county;” approved March 10th, 1875.

Senate bill No. 692, “An act to legalize and validate certain bonds issued by the city of Galveston, for the purpose

of building fire engine houses ;" approved March 10th, 1875.

Senate bill No. 746, "An act to amend the second section of an act amendatory of and supplemental to an act to incorporate the Texas Timber and Prairie Railroad company ;" approved August 15th, A. D. 1870 ; passed May 24th, 1873, and became a law without the approval of the Governor ; approved March 10th, 1875.

Senate bill No. 703, "An act to incorporate the San Antonio and Fredericksburg Narrow Gauge Railway Company ;" approved March 10th, 1875.

House bill No. 615, "An act to incorporate the Henderson and Center Railway Company, and to grant aid in the construction of the same ;" approved March 10th, 1875.

Senate bill No. 787, "An act to authorize the county of Gonzales to build a bridge across Peach Creek ;" approved March 10th, 1875.

Senate bill No. 530, "An act for the relief of J. W. Pope, special Judge ;" approved March 10th, 1875.

The following communication was received from the Adjutant General, read and ordered spread on the journals :

ADJUTANT GENERAL'S OFFICE,  
STATE OF TEXAS,  
AUSTIN, March 10, 1875.

*To the Honorable Senate and House of Representatives  
of the State of Texas :*

I have the honor to submit the following list of names, as an addition to that furnished January 21, 1875, of crippled Confederate soldiers, who being desirous of enjoying any benefits that may accrue to them under the joint resolution approved May 2, 1874, have made application and proof :

Wm. Masterson, adjutant, second Texas infantry, arm ; Ed. C. Cullen, company H, twenty-fourth Texas infantry, right arm ; Hugh E. Clark, company B, fourth Texas cavalry, right leg ; W. V. L. Cooper, company C, fifth Texas cavalry, left leg ; Sam'l J. Darcy, company G, thirty-second Texas cavalry, right arm ; J. B. Griffin, company C, tenth Texas cavalry, left leg ; B. F. Blunt, private fourth Texas cavalry, (D. R. Norris' company,) Job. Jackson, company G, fourth Texas infantry, right leg ; R. L. Nicholson, company C, twenty-fourth Texas

cavalry, right leg; W. B. Rhodes, company D, Wall's Legion, Texas cavalry, left leg; Benj. F. Collins, company F, second Texas cavalry, left leg.

Very respectfully,

WM. STEELE, Adjutant General.

A message was received from the House, announcing the passage of the following House bills: House bill No. 863, "An act to incorporate the Stark Railway Company." House bill No. 860, "An act to empower administrators of the estate of deceased persons to compromise suits of doubtful character, relative to the title of real estate, owned or claimed by the estate they represent." House bill No. 726, "An act to authorize the counties of Navarro and Anderson, and the cities of Corsicana and Palestine, to aid in the construction of the Corsicana and Palestine Railroad Company." House bill No. 605, "An act to amend sections fourteen and thirty-two of 'an act to establish and maintain a system of public free schools in the State of Texas,' passed May 22, 1873; and to amend section twenty-two of an act to amend sections nine, ten, eleven, fifteen, seventeen, twenty-two and thirty-eight of 'an act to establish and maintain a system of public free schools in the State of Texas,' approved May 2, 1874. Also the passage of Senate bill No. 685, "An act to provide for the election and qualification of assessors and collectors of Taxes."

Senator Morris called up House bill No. 795, "An act creating the office of public weigher, and regulating the appointment and defining the duties and liabilities thereof."

Read second time, pending committee amendments.

The amendments of the committee were lost.

Senator Burton offered the following amendment: Strike out "ten" wherever it occurs before the words "cents," and insert "five." Adopted.

Senator Baker offered the following amendment: "Strike out section eight." Adopted by the following vote:

YEAS—Senators Ball, Baker, Bradshaw, Bradley, Burton, Dwyer, Erath, Flanagan, Friend, Hobby, Ireland, Joseph, Ledbetter and Russell—14.

NAYS—Senators Allison, Camp, Dillard, Davenport, Ellis, Morris, Moore, Randle, Stirman, Swift, Westfall and Wood—13.



Senator Stirman moved that the bill be indefinitely postponed. Lost by the following vote :

YEAS—Senators Ball, Baker, Bradshaw, Bradley, Dwyer, Friend, Joseph, Ledbetter, Morris, Stirman, Swift and Westfall—12.

NAYS—Senators Allison, Burton, Camp, Dillard, Davenport, Ellis, Erath, Flanagan, Hobby, Ireland, Moore, Randle, Russell and Wood—14.

The bill, as amended, then passed to third reading.

Rules suspended, bill read third time and lost, by the following vote :

YEAS—Senators Allison, Ball, Burton, Dillard, Erath, Flanagan, Friend, Hobby, Ireland, Ledbetter, Moore, Russell and Shepard—13.

NAYS—Senators Baker, Bradshaw, Bradley, Camp, Davenport, Dwyer, Ellis, Joseph, Morris, Parker, Stirman, Swift, Westfall and Wood—14.

Senator Moore introduced a bill entitled, "An act to disqualify certain persons from exercising the functions of offices from which they have been removed." Read first time.

Rules suspended, and bill read second time.

Senator Russell offered the following amendment: Insert the words, "on conviction, after indictment." Lost.

The bill was then ordered engrossed.

On motion of Senator Russell, the rules were suspended, bill read third time and passed.

Senator Parker called up Senate bill No. 758, "An act to retire the floating indebtedness of the State, and providing for the funding of the same."

The Senate refused to suspend the rules to consider said bill, by the following vote—it requiring a four-fifths vote to suspend the rules :

YEAS—Senators Allison, Baker, Bradley, Camp, Dillard, Davenport, Ellis, Erath, Friend, Ireland, Ledbetter, Morris, Parker, Russell, Shepard, Swift, Westfall and Wood—18.

NAYS—Senators Bradshaw, Burton, Dwyer, Flanagan, Hobby, Joseph, Moore, Randle and Stirman—9.

Senator Friend, by leave, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Judiciary ask leave to report back

to the Senate, House joint resolution No. 62, "Legalizing and validating the official acts of C. L. Thurmond, a Notary Public of Victoria county," and recommend its passage.

FRIEND, for Committee.

A message was received from the House announcing the passage of the following Senate bills: Senate bill No. 508, "An act to amend section two of 'an act to reorganize the Seventh, Eighth and Eleventh Judicial Districts, and fix the time of holding courts therein;'" approved April 17, 1874, with an amendment by the House.

Senate bill No. 630, "An act to validate the official acts of J. H. Jernigan, as Notary Public of Hunt county."

Senate bill No. 604, "An act to authorize G. L. Schleicher and G. Hoffman, to erect and keep a boom across the Colorado river, at or near the city of Austin, in the county of Travis," with an amendment by the House.

Senator Shepard moved that House bill No. 811, "An act providing for a monument to the memory of Sam Houston," be called up from the Finance Committee and considered. Lost by the following vote:

YEAS—Senators Ball, Burton, Dwyer, Flanagan, Ireland, Joseph, Ledbetter, Parker, Randle, Russell, Shepard, Swift and Westfall—13.

NAYS—Senators Allison, Baker, Bradshaw, Bradley, Camp, Dillard, Davenport, Ellis, Erath, Friend, Hobby, Morris, Moore, Stirman and Wood—15.

Senator Parker called up House joint resolution No. 63, "Granting leave of absence to Hon. John C. Easton, Judge of the Eighth Judicial District." Read first time.

On motion of Senator Parker, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Parker, the rules were suspended, bill read third time and passed.

Senator Randle called up House bill No. 756, "An act for the relief of Captain Peter Tomlinson." Read second time and passed to third reading.

On motion of Senator Dwyer, the rules were suspended, bill read third time and passed by the following vote:

YEAS—Senators Allison, Ball, Baker, Bradshaw, Bradley, Burton, Camp, Dwyer, Ellis, Erath, Flanagan, Hobby, Ireland, Joseph, Ledbetter, Randle, Russell, Shepard, Stirman, Swift, Westfall and Wood—22.

NAYS—Senators Dillard, Davenport, Friend, Morris, Moore and Parker—6.

Senator Shepard, for Committee on Engrossed Bills, submitted the following report :

*Hon. R. B. Hubbard, President of the Senate :*

Your Committee on Engrossed Bills beg leave to report that they have carefully examined and compared Senate bill No. 814, "An act to disqualify certain persons from exercising the functions of offices from which they have been removed," and find the same correctly engrossed.

SHEPARD, for Committee.

Senator Russell called up House bill No. 839, "An act to repeal 'an act to re-incorporate the city of Corpus Christi,' approved May 22, 1873, and all other acts or laws relating to the incorporation and franchises of said city." Read first time.

On motion of Senator Russell, the rules were suspended, bill read second time and passed to third reading.

On motion of Senator Russell, the rules were suspended, bill read third time and passed.

Senator Shepard called up Senate bill No. 790, "An act to provide for the collection of back taxes due by railroads, and to provide penalties for non-payment of the same," was taken up and read second time, pending committee amendments.

The amendments of the committee were adopted.

The bill, as amended, was then ordered engrossed.

On motion of Senator Shepard, the rules were suspended, bill read third time and passed.

A message was received from the House, announcing the passage of Senate bill No. 769, "An act for the relief of H. C. Hunt and George W. Whitmore."

Senator Stirman called up House bill No. 687, "An act in relation to holding a justice's court in the town of Terrell, in Kaufman county." Read second time, and the amendment by committee adopted, and bill passed to third reading. Rules further suspended, bill read third time and passed.

Senator Swift called up Senate bill No. 677, "An act for the relief of Oscar M. Jackson," and House amendments concurred in.

Senator Westfall called up House bill No. 746. "An act to authorize the county court of Milam county to issue bonds." Read first time. Rules suspended, bill read

second time, and passed to a third reading. Rules further suspended, bill read third time and passed.

By leave, Senator Ireland, Chairman of Judiciary Committee, submitted the following report:

*Hon. R. R. Hubbard, President of the Senate;*

Your Committee on Judiciary to whom was referred House bill No. 813, "An act to perfect the organization of the county of Presidio," have considered the same and recommend its passage.

IRELAND, Chairman.

Senator Wood, by leave, introduced a bill entitled "An act supplemental to an act entitled 'an act creating the office of Assistant Attorney General, defining his duties, and fixing his salary,'" passed at the present session of the Fourteenth Legislature. Read first time, and ordered to lie on the table.

On motion of Senator Flanagan, the Senate adjourned until 9½ o'clock A. M., to-morrow.

## FIFTY-FIRST DAY.

SENATE CHAMBER,  
AUSTIN, March 12, 1875.

Senate met pursuant to adjournment. Roll called; quorum present. Prayer by Rev. Mr. Byer, of Cooke county.

The reading of the journal of yesterday was dispensed with.

On motion of Senator Wood, Senator Ireland was excused for the remainder of the session.

On motion of Senator Ellis, Senator Friend was excused for the remainder of the session, after to-day.

On motion of Senator Wood, the rules were suspended, and Senate bill No. 804, "An act to authorize G. Schleicher and G. Hoffman to erect and keep a boom across the Colorado river, at or near the city of Austin, in the county of Travis," was taken up, pending House amendments thereto.

The House amendments were concurred in.

On motion of Senator Hobby, the members of the Enrolling and Engrossing Committees, on account of the press